

**United States Department of the Interior
Bureau of Land Management
Decision Record**

**FINDING OF NO SIGNIFICANT IMPACT
DECISION RECORD**

**BACA 2006 Land Sales
Environmental Assessment
(N79136, N79142, N79649, N79143, N79144, N79145,
N79146, N79147, N79148, N79149, N77175)**

File 2700 BLM/EK/PL-2006/005

The environmental assessment (EA) was prepared to analyze potential effects of the proposed land sale consisting of 11 parcels with a total of 4061.78 acres within the BLM Elko Field Management Area and alternatives on the quality of the environment. The purpose of the proposal is to meet BLM land use planning objectives by implementing the Elko and the Wells Resource Management Plans (RMP). Public lands that are difficult and uneconomic to manage would be made available for disposal primarily through the sale process, in accordance with the Federal Land Transaction Facilitation Act (FLTFA), commonly called the “Baca Act”, which became law on July 25, 2000.

Based on the environmental assessment (EA) for the proposed FY2006 BACA Lands Sale, BLM Elko Field Office, Nevada, I have determined that the proposed action, as described in the EA, will not significantly affect the quality of the human environment and that an Environmental Impact Statement (EIS) is not required prior to approval of the proposed sale.

This finding is based on my consideration of the Council on Environmental Quality’s (CEQ) criteria for significance (40 CFR 1508.27) with regard to the context and the intensity of impacts, as discussed in the EA.

Context:

Federal Land Transaction Facilitation Act (FLTFA), Title II, of The Valles Caldera Preservation Act (Baca Ranch, NM), July 25, 2000: allows the BLM to retain receipts from land sales, which would be used to cover administrative costs and to acquire properties that would improve the nation's land management pattern. The purpose of FLTFA is to provide for the orderly disposal of certain Federal lands, and to fund the acquisition by the BLM and other Federal agencies of inholdings and other lands containing exceptional resources. This legislation does not change the strict criteria of the Federal Land Policy and Management Act (FLPMA) by which lands are designated for disposal, nor the rigorous process for doing so, which requires land use planning, public involvement, and consultation with interested parties.

The affected lands are located in various areas throughout the Elko District. They have been previously identified for disposal in the appropriate Land Use Management Plans within the Elko FO. The benefits of this action include increasing the tax base for the counties in which these parcels are located; disposing of public lands which are not feasible for monitoring grazing, wildlife, or readily available for general public use. The proposed action has a positive effect in that it incorporates the goals of the BLM Nevada state-wide FLTFA program. This program provides for the use of revenues from the sale or exchange of public lands identified for disposal under land use plans in effect as of the date of the FLTFA in order to acquire inholdings within certain federally designated areas, or lands adjacent to those areas and containing exceptional resources. The Elko BLM land sales will assist in the improvement of land management by disposing of lands which are difficult to manage, uneconomic, and not in the best interest of the public. Sales through the Baca Act will also assist the State of Nevada since four percent (4%) of the monies go to the state for educational purposes or for the construction of public roads.

Intensity:

1) Impacts that may be both beneficial and adverse: These lands were designated for disposal in the pre-2000 Elko and Wells Resource Management Plans (RMP) as lands meeting the criteria for disposal: manageability issues, consolidation of checkerboard, past interest in purchase, land use issues, etc. The sale of these parcels will be beneficial to both the BLM as well as to the purchasers. These lands are not practical for public multiple use purposes and do not provide significant habitat for endangered species. There are no significant adverse impacts involved with the sale of these lands. Most parcels are in areas of checkerboard land ownership and/or they are unfeasible to manage as public lands and do not significantly contribute to the over-all land use plan of the Elko Field Office. The consolidation of ownership into a more blocked configuration would produce benefits for the BLM. Management of intermingled lands is more difficult, more expensive and less efficient. The conveyance of these lands into non-federal ownership would consolidate the land ownership pattern of non-federal lands and facilitate management for uses by the private sector.

2) The degree to which the proposed action affects public health or safety: This action does not affect public health or safety either adversely or in a significantly beneficial manner.

3) Unique characteristics of the geographic area such as proximity to historical or cultural resources, parks lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas: There are no unique geographical areas located within these disposal parcels. There are no parks lands, prime farmlands, wild and scenic rivers, or ecologically critical areas. Cultural inventories have been performed on all parcels with the result of no significant findings. No significant wetlands exist within any of these parcels.

4) The degree to which the effects on the quality of the human environment are likely to be highly controversial: There are no known human environmental risks associated

with this project. Effects on the quality of the human environment are not likely to be controversial. The parcels being offered for disposal are outside of any city or town limits and are essentially set in rural areas.

5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks: No known risks exist within any of these parcels. Due to the history of the areas in which these parcels are located, it is highly unlikely that any unknown, unique, or uncertain risks exist.

6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration: None. These lands have been identified through the RMP process as available for disposal. No precedent will be set due to the sale of these parcels.

7) Whether the action is related to other actions with individually insignificant, but cumulatively significant impacts: No significant impacts will occur due to the sale of these parcels. The parcels are located throughout the Elko BLM field area, preventing any accumulative impacts.

8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing on the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources: The review of the proposed land sale has taken into consideration the effect on historic and cultural resources and other ecological areas within the proposed sale areas, including wildlife, range management, and all the critical elements, as required by the National Environmental Policy Act of 1969, as amended. No National Register eligible cultural sites were noted.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973: No endangered or threatened species were located on these parcels.

10. Whether the action threatens a violation of Federal, State, local, or tribal law or requirements imposed for the protection of the environment: This action is consistent under Federal, State, local, and tribal laws and other requirements for the protection of the environment. All agencies were properly notified of the proposed action and given appropriate comment time to respond.

Decision

It is my Decision to implement the proposed action, as described in the EA (BLM/EK/PL-2006/005). I have determined that the public interest will be well served by the sale and that the sale is in conformance with the approved land use plans.

Rationale

1. The action is consistent with the approved Elko and Wells Resource Management Plans, and current BLM and Departmental policies and procedures. It is consistent with other Federal, State, local, and tribal policies and plans to the maximum extent possible.
2. Public lands that are difficult and uneconomic to manage would be made available for disposal primarily through the sale process, in accordance with the Federal Land Transaction Facilitation Act (FLTFA), commonly called the “Baca Act”, which became law on July 25, 2000.
3. BLM's authority is provided by Sections 508 of the Federal Land Policy and Management Act (FLPMA) of 1976, as amended, in accordance with regulations in 43 CFR 2800; and FLTFA.

Public Involvement

Scoping letters were sent out to state, county, and local agencies, tribal agencies, adjacent landowners, various organizations included on BLM mailing lists, and information was provided to the general public concerning the proposed land sale.

This document is available upon request to the Elko Field Office, 3900 East Idaho Street, Elko, Nevada 89801 (775) 753-0200.

Approval

/S/ CLINTON R. OKE

February 10, 2006

Clinton R. Oke, Assistant Field Manager
NonRenewable Resources

Date

Attachment:

Environmental Assessment File 2700 BLM/EK/PL-2006/005

United States Department of the Interior
Bureau of Land Management
Elko Field Office

January 2006

Bureau of Land Management
Elko Field Office
3900 East Idaho Street
Elko, Nevada 89801
(775) 753-0200

ENVIRONMENTAL ASSESSMENT

EA- BLM/EK/PL-2006/005

N79136, N79142, N79143, N79144, N79145, N79146, N79147, N79148, N79149,
N79649 and N77175

2006 BACA Land Sale
Elko and Eureka Counties, Nevada

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BLM Elko Field Office
BACA 2006 LAND SALE
E. A. BLM/EK/PL-2006/005

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ENVIRONMENTAL ASSESSMENT
BACA 2006 LAND SALE
BLM/EK/PL-2006/005

Serial Nos. N79136, N79142, N79143, N79144, N79145, N79146, N79147, N79148,
N79149, N79649 and N77175

1. INTRODUCTION

The Bureau of Land Management (BLM), Elko Field Office, has proposed to sell 11 parcels of public land, totaling approximately 4061.68 acres. Parcel values have been obtained by the appraisal process and would be sold for no less than the fair market value (FMV). The parcels are located in Elko and Eureka Counties, Nevada, within the management area of the Elko BLM Field Office. (See location map and parcel maps in Appendix A.)

This Environmental Assessment (EA) has been prepared to comply with the National Environmental Policy Act of 1969 (NEPA). It tiers the environmental impact statements for the 1985 Wells Resource Management Plan (RMP) and the 1987 Elko RMP.

1.1 Purpose and Need

Under the Federal Land Transaction Facilitation Act (FLTFA) (P.L. 106-248), public lands that are difficult and uneconomic to manage would be made available for disposal primarily through the sale process. This environmental assessment (EA) has been prepared in order to analyze potential effects of the proposed land sale and alternatives on the quality of the environment. The purpose of the proposal is to meet BLM land use planning objectives by implementing the Elko Resource Management Plan (RMP), approved March 11, 1987, and the Wells RMP, approved July 16, 1985.

1.2 Land Use Plan Conformance

The proposed action described below is in conformance with the Elko RMP, Issue Lands, management (prescriptions/decisions) 1, which states: to make available, primarily through sale, up to 8,340 acres of public lands that are difficult and uneconomic to manage; and the Wells RMP, allowing for the disposal of land based on long-range management goals. All the parcels are in areas identified for disposal in the RMPs. Each of the parcels is in areas identified for disposal in the RMPs (1985 Wells RMP, Map 2 and pages 3 and 13; 1987 Elko RMP, Map 3 and pages 9-11). The proposed action is consistent with Federal, State, and local laws, regulations, and plans to the maximum extent possible.

2. PROPOSED ACTION AND ALTERNATIVES

2.1 Proposed Action

The Bureau of Land Management (BLM), Elko Field Office would offer for sale approximately 4061.68 acres of federal land administered by the BLM. The parcels range in size from 40 acres to 663.34 acres. Interests in the parcels held by the United States would be conveyed with the surface estate, subject to all-valid existing rights and reservations associated with each parcel. The mineral rights associated with each parcel would be reserved to the United States and not conveyed into private ownership.

The parcels would be offered for sale in a competitive fashion. Standard appraisal process has determined the fair market value based on the highest and best use for each individual parcel. The minimum bid would begin at the appraised fair market value. No bids lower than the appraised value would be accepted.

Once the sale is complete, the land will become private property. The proposed parcels are located in areas where development is already taking place or they are isolated parcels surrounded by private lands. All minerals would be reserved to the United States, its permittees, licensees and lessees, together with the right to prospect for, mine, and remove the minerals under applicable law and such regulations as the Secretary of the Interior may prescribe, along with all necessary access and exit rights; right-of-way would be reserved for ditches and canals constructed by authority of the United States under the Act of August 30, 1890 (43 U.S.C. 945); valid existing rights including, but not limited to, rights-of-way for roads, public utilities and flood control improvements.

The land is being sold under the Federal Land Transaction Facilitation Act also known as the "Baca" Bill. This bill established a funding mechanism to pay BLM's administrative costs. When public land sales are conducted under Baca, 4% of the proceeds from a Baca sale are paid off the top to the Nevada State school fund. Of the remaining proceeds, eighty percent goes to BLM Nevada for the purchase of environmentally sensitive lands, or interests in lands such as conservation easements. The other twenty percent would go into the Federal Land Disposal account for use by all states.

The parcels would be sold in a competitive fashion; therefore, the buyer would not be known until the sale of the parcel had been completed.

Appraisals made in order to determine the Fair Market Value (FMV) of these parcels comply with the Uniform Appraisal Standards for Federal Land Acquisition (UASFLA), applying the "Jurisdictional Exception": The *Uniform Standards of Professional Appraisal Practice* (USPAP) Standards Rule 1-2(c)(iv) Comment. In determining the fair market value, BLM has assumed that the highest and best use of the parcels would be similar to that of surrounding lands.

2.1.1 Public Lands to Be Offered for Sale

The following public lands would be offered for sale: Mount Diablo Meridian, Nevada.

Table 1 FY2006 Public Lands for Sale

Parcel #	Township Range Section	Aliquot Part	Acres	Serial No.	Appraised
WEST WENDOVER					
04-01	T. 33 N., R. 69 E., Section 1	Lots 1-4, N $\frac{1}{2}$ S $\frac{1}{2}$	319.80	N-79136	\$ 100,000
BOULDER CREEK					
04-07	T. 37 N., R. 50 E., Section 9	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	N-79142	9,000
04-08	T. 37 N., R. 50 E., Section 20	SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$	120	N-79141	20,000
JACKPOT					
04-09	T. 47 N., R. 64 E., Section 13	SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$	80	N-79143	65,000
MONTELLO					
04-10	T. 38 N., R. 68 E., Section 2	Lots 2-4, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$	575.58	N-79144	115,000
04-11	T. 38 N., R. 69 E., Section 6	Lots 8-23	663.34	N-79145	130,000
04-12	T. 39 N., R. 68 E., Section 36	Lots 7-18, W $\frac{1}{2}$	597.02	N-79146	120,000
04-13	T. 39 N., R. 69 E., Section 18	Lots 1-4, NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$	301.36	N-79147	75,000
04-14	T. 39 N., R. 69 E., Section 30	Lots 5-16, SE $\frac{1}{4}$	645.18	N-79148	110,000
04-15	T. 39 N., R. 69 E., Section 32	ALL	640	N-79149	125,000
DUNPHY					
03-18	T. 33 N., R. 49 E., Section 30	Lots 3 and 4	79.5	N-77175	25,000
TOTAL ACRES:			4061.68		

2.2 No Action Alternative (No Sale Alternative)

The alternative to the proposed action is "no action." Under this alternative, the proposal would not be processed and lands would not be offered for sale. The lands would remain under Public ownership or have to be offered for disposal by some other means. Federal management of these parcels would continue as public lands under the appropriate RMPs. The partial elimination of "checkerboard" land ownership would not occur and hard-to-manage lands would remain relatively unmanageable.

3. AFFECTED ENVIRONMENT

General Setting - The affected lands are located in various areas throughout the Elko District (see attached maps in Appendix A for each parcel). The elevations of the subject areas range from 4,500 to 6,000 feet above mean sea level. Vegetation is mainly dominated by sagebrush with an under-story of native bunchgrasses and cheat grass.

The West Wendover parcel is within the salt desert shrub vegetation type. The main vegetative species are shadscale and greasewood. This parcel is currently rural and vacant of any development. Its highest and best use as vacant would be as a rural home site. Surrounding lands are in private ownership and have been used for grazing and recreation.

The Boulder Creek parcels are characterized by both the mountain brush vegetation type and big sagebrush/bitterbrush vegetation type ("montane habitat") on mountain ridges dissected by drainages. The subject parcels provide uniform intact intermediate range where bitterbrush, big sagebrush and scattered pockets of serviceberry are the dominate overstory shrubs important for cover and forage. Upland areas with this shrub cover are interspersed with spring areas and associated riparian/meadow areas and wetland areas ("montane riparian habitat"). Both parcels are currently vacant and have been used for grazing purposes. The highest and best use as vacant lands would be recreation or assemblage with adjacent lands.

The Montello parcels are characterized by the salt desert shrub vegetation type. The main vegetative species are shadscale and greasewood. These parcels are located within a "checkerboard" land ownership area in an isolated portion of Elko County. There are scattered home sites throughout the area. Power and phone lines are distributed to many of these sites. Parcels not accessible via SR233 are served by dirt roads. Many acres in the area are subdivided into small parcels of 10 and 40 acres. Much of the land is owned by ranchers or by investors.

The Jackpot parcel is characterized by the Wyoming big sagebrush vegetation type. It is undeveloped and has been used for grazing of livestock. Traditional land use in the area is ranching and mining. The Town of Jackpot is located approximately 1 mile north of this parcel. The permanent population density is low, approximately 1,500 people. Its main purpose is as a gaming community for southern Idaho gamers. Locals generally travel to Twin Falls for shopping and non-gaming entertainment, and to Elko for location governmental services.

Wyoming big sagebrush is the dominate overstory shrub important for cover and forage in the Dunphy parcel. This parcel consists of vacant land. Its highest and best use would be as a rural home site. The adjacent land uses consist of vacant uplands under private ownership. Irrigated lands owned by private ranchers abut on the western side of the parcel. All adjacent lands are owned by Newmont Mining or affiliated companies.

Federal property is not zoned in Elko or Eureka Counties. Once a parcel is sold and leaves the public lands inventory, it will be zoned in a manner consistent with its proposed use and compatible with surrounding land use. General permitted uses would include agriculture (crops and livestock) and recreation. Other uses may be permitted as authorized by the planning commission. Residential is not a use-by-right, but an accessory use incident to one of the permitted or conditional uses.

3.1 Critical Elements Not Affected

The following list of critical elements of the human environment are not present or not affected by the proposed action:

Air Quality
 Areas of Critical Environmental Concern
 Environmental Justice
 Farmlands (prime or unique)
 Native American Religious Concerns
 Wild and Scenic Rivers
 Wilderness

3.2 Effects of the Proposal/Alternatives

3.2.1 Water Resource, Wetlands/Riparian Zones.

There are no source water protection areas within any of the proposed parcels.

West Wendover Parcel 04-01: The City of West Wendover owns water rights that include this parcel within their permitted place of use. The BLM will continue to retain administration of the right-of-grant for all current grants located within this parcel. There will be no adverse affect on grant holders.

Boulder Creek Parcel 04-07: There are no springs or wells directly on this parcel but there is a spring in NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 9, which is in the same section as the proposed parcel located on BLM. There are also many springs located in adjacent sections. Disposal of this parcel would have no adverse affect on water quality.

Boulder Creek Parcel 04-08: According to 24K maps, there is a spring located in SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 20, which is within the proposed parcel. Most recent inventories show that there are 3 seeps in the general vicinity of this spring. Although soils are saturated, these springs have no measurable flow. There are no water rights, public or private filed on this spring. There is another spring located in NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of this section which is outside of the proposed parcel on BLM. Disposal of this parcel would not adversely affect water quality within the area.

Jackpot Parcel 04-09: Parcel is within $\frac{1}{2}$ mile of the Shoshone River which is water quality impaired. The Shoshone River is tributary to the Salmon Falls River which is also impaired according to Nevada's 2002 303(d) list. This parcel does not appear to have any affect on the Shoshone River due to its location.

Montello Parcel 04-10: Parts of this parcel are located on the 100 year floodplain for Loray Wash. Some portions of these parcels may not be suitable for construction of any type due to being located within a floodplain area.

Montello Parcel 04-11: There are no springs or wells directly on this parcel, but according to 7.5 minute quads there are two wells in NW $\frac{1}{4}$ sec. 5, T. 39N., R.69E. These are in a private section adjacent to the parcel. Parts of this parcel are located on the 100 year floodplain of the Loray Wash and may not be suitable for construction of any kind.

Montello Parcel 04-12: Parts of this parcel are located on the 100 year floodplain for Loray Wash and may not be suitable for construction of any type.

Montello Parcel 04- 13: Parts of this parcel are located on the 100 year floodplain for Montello Creek and may not be suitable for construction of any type.

Montello Parcel 04-14: Parts of this parcel are located on the 100 year floodplain for Loray Wash and may not be suitable for construction of any type.

Montello Parcel 04-15: There are no springs or wells directly on this parcel, but according to 7.5 minute quads there are two wells in NW¼ sec. 5, T. 39 N., R.69 E. These are in a private section adjacent to the proposed parcels. Parts of this parcel are located on the 100 year floodplain of the Loray Wash and may not be suitable for construction of any type.

Dunphy Parcel 03-18: There are no springs or wells on this parcel; however, the Rose Canal runs along its west side. A depression along the west side of the parcel is less than one-half mile from the Humbolt River which is water quality impaired, according to Nevada's 2002 303(d) list.

3.2.2 Wastes (hazardous or solid)

No evidence of hazardous substances, petroleum products, recognized environmental conditions, and/or CERCLA 120(h) concerns were discovered on the properties listed for sale.

Wendover Parcel 04-01: This site was visited on April 12, 2005. An old (probably 1950's) trash scatter of predominantly metal trash is located on a small hill near Interstate 80. Rusted metal cans and some purple glass were scattered on the parcel in other locations, as well. No chemicals, barrels, stressed vegetation, or hazardous materials were noted on this parcel.

Boulder Creek Parcel 04-07: This site was visited on September 27, 2004. The parcel is remote with no road access. No hazardous materials were noted on this parcel.

Boulder Creek Parcel 04-08: This site was visited on October 7, 2004. The road to the parcel is barely passable with four-wheel drive. No hazardous materials were noted on this parcel.

Jackpot Parcel 04-09: This site was visited on April 13, 2005. A pesticide dispenser structure was noted on the parcel, as well as two structures for dispensing cattle supplements. No soil samples were collected to test for pesticides.

Montello Parcel 04-10: This site was visited on October 6, 2004. No hazardous materials were noted on this parcel.

Montello Parcel 04-11: This site was visited on October 6, 2004. A dead cow was found on the parcel. No hazardous materials were noted on the parcel.

Montello Parcel 04-12: This site was visited on October 6, 2004. A gravel site has scattered wood, metal, plastic and rubber trash. No hazardous materials were noted on this parcel. Whether sale of this parcel would discourage illegal dumping is unknown and will depend on management plans of the new owner.

Montello Parcel 04-13: This site was visited on November 3, 2004. Numerous dirt roads cut across the parcel, but the oldest dirt road (depicted on the 1967 topographic map) has old trash scattered along it and a large pit filled with trash. Most of the trash in the pit is old and includes such items as wringer washing machines, old soda cans, and other rusted metal trash. No obviously hazardous chemicals were noted and all containers were empty. No soils samples were taken to determine if pesticides or other contaminants could have been spilled onto the underlying soils. The disturbance associated with the dump cut continues to the west as a long scraped area. It is not known if any trash is buried under the disturbance. Other roads within the parcel have trash scattered along them.

Montello Parcel 04-14: This site was visited on October 6, 2004. Nothing unusual was noted on this parcel.

Montello Parcel 04-15: This site was visited on October 6, 2004. Several dirt roads exist on this parcel. A pile of trash near the western side of the parcel contained an empty 55-gallon drum, and empty 2-gallon gas can, and rusty metal. A dead cow was located near the center of the parcel.

Dunphy Parcel 03-18: This site was visited on April 20, 2005. A pile of rusted metal trash, including an old washing machine, was noted on the parcel. One rusted 5-gallon can with no lid contained congealed paint. Two gravel sites are located on this parcel. One pit contained water, but no trash. The other pit contained one rusty metal remains of an old water tank. No barrels, stained soils, or other hazardous materials were noted. Whether sale of this parcel would discourage illegal dumping is unknown and will depend on management plans of the new owner.

3.2.3. Wildlife, Special Status Species

The following information applies to all parcels relative to habitat types:

Affected Environment

Wildlife

There are approximately 350 species of terrestrial vertebrate wildlife which occur in northeastern Nevada within the Elko District. This includes bird, mammal, reptile and amphibian species that can be found on habitat provided on various subject parcels on a seasonal or yearlong basis. Riparian/wetland and meadow areas increase the potential for a large number of species to occur on a given parcel. Some of these species are shown for the “Lower Sagebrush/Grassland Steppe - Northeastern Nevada” (Appendix B) while others are shown/duplicated in Nevada Partners in Flight Bird Conservation Plan (Appendix B) per affected habitat type. For more complete lists, consult the BLM Nevada Elko District Bird, Mammal, and Reptile and Amphibian Lists available at BLM Elko Field Office.

Special Status Species

BLM’s Special Status Species Policy (BLM Manual Section 6840) states that “... the BLM shall implement management plans that conserve candidate species and their habitats and shall ensure that actions authorized, funded, or carried out by BLM do not contribute to the need for the species to become listed” (BLM Manual section 6840.06C).

There are no known plants identified as Special Status Species on the subject parcels.

The parcels may provide foraging habitat for bald eagles, a federally listed threatened species, during the late fall and winter period. Upland foraging areas are widely dispersed throughout the Elko District. Areas that provide intact habitat with shrub cover for prey species such as black-tailed jackrabbits, and adjoining areas with open water foraging areas, increase the suitability of use of habitat on a given area.

Under BLM’s *Management Guidelines for Sage Grouse and Sagebrush Ecosystems in Nevada, October 2000*, Realty Actions, “land exchanges, sales, leases, etc. which result in a net loss of sage grouse habitat, or fragmentation of habitat” are “Factors Potentially Contributing to Risk.” The risk is that these types of actions “can cause direct mortality to individuals within all known habitats.” The greatest present concern is within the areas imperiled for permanent habitat loss in the event that the land is converted to other

purposes from current intact native range with sagebrush as part of the vegetative component.

The sage grouse is a featured species in the BLM Elko and Wells Resource Management Plans and, in effect, an “umbrella species” where effects to their habitat in upland and riparian/meadow areas would also apply to other BLM Special Status Species. This would include sage grouse nesting, brood-rearing, winter and lek-associated roosting, loafing and foraging habitat. Future management of the lands in private ownership would be unknown as would the fate of the wildlife habitat on the parcels.

Pygmy rabbits – Pygmy rabbits are generally found in areas with various vegetation types that include big sagebrush that are suitable for creating their burrow system. Observations in Nevada have been made over broad areas including those characterized by the mountain, basin and Wyoming big sagebrush vegetation types and the big sagebrush-bitterbrush vegetation type. Relative to the parcels, the highest likelihood of occurrence would be on sites that support big sagebrush that may be associated with meadows or former meadows or areas directly adjoining these areas.

Migratory Birds: On January 11, 2001 President Clinton signed the Migratory Bird Executive Order. See Appendix E for the scope of this executive order and applicable species shown for affected habitat type listed per the 1999 Nevada Partners in Flight Bird Conservation Plan.

West Wendover Parcel 04-01 (319.80 ac.)

Wildlife

This parcel is within the salt desert shrub vegetation type. The main vegetative species are shadscale and greasewood. The parcel provides approximately 320 acres of intermediate mule deer range and antelope year long.

This parcel has had an increased bighorn sheep use. Bighorn sheep have been documented moving from Leppy Hills to the golf course on a regular basis (Nevada Department of Wildlife (NDOW)).

Special Status Species

The parcel is not within a sage grouse use area. Based on the predominant habitat type associated with this parcel, as well as the surrounding habitat types, Special Status Species most likely to occur within this parcel are outlined as follows:

Table 2

Special Status Species likely to Occur within the West Wendover Parcel			
Common Name	Scientific name	Habitat Types	
		Cliffs/talus ¹	Salt Desert Shrub ²
(USFWS) Federally Listed Threatened Species			
bald eagle (winter resident) ³	<i>Haliaeetus leucocephalus</i>	X	X
BLM Sensitive Species			
golden eagle	<i>Aquila chrysaetos</i>	X	X
Western burrowing owl	<i>Athene cunicularia</i>		X
ferruginous hawk	<i>Buteo regalis</i>	X	X
peregrine falcon	<i>Falco peregrinus</i>	X	
prairie falcon	<i>Falco mexicanus</i>	X	
loggerhead shrike	<i>Lanius ludovicianus</i>		X
long-eared myotis	<i>Myotis evotis</i>	X	X
long-legged myotis	<i>Myotis volans</i>	X	X
small-footed myotis	<i>Myotis ciliolabrum</i>	X	X
Pacific Townsend's big-eared bat	<i>Corynorhinus townsendii pallescens</i>	X,O	X
Brazilian free-tailed bat	<i>Tadarida brasiliensis</i>	X	X
pallid bat	<i>Antrozous pallidus</i>	X,O	X
hoary bat	<i>Lasiurus cinereus</i>	X	X

O Obligate Species – Obligate species are species which are dependent on a specific habitat type to complete their life cycles. They may, however, use other habitats as well.

¹Cliffs and Talus habitat types occur as a result of uplift and erosion within erosion resistant rock types such as silica and carbonate-rich materials. Talus occurs as result of fallen rock which collects at the base of the cliffs. In general, plants are absent from the rock faces.

²Salt desert shrub habitat is characterized by the presence of a variety of salt-tolerant shrubs of the family Chenopodiaceae, predominantly shadscale and greasewood.

³The project area provides habitat for bald eagles, a Federally listed threatened species, during the fall and winter period.

Migratory Birds

The parcel provides salt desert shrub habitat. The Nevada Partners in Flight Bird Conservation Plan (Appendix E) identifies the following bird species designated as “Priority Species” for management associated with the salt desert shrub habitat physiographic region: loggerhead shrike, sage sparrow, sage thrasher and burrowing owl. There are Special Status bird species that are also migratory birds as listed in table above. Other species commonly observed are horned lark, Brewer’s sparrow, black-throated sparrow, lark sparrow, rock wrens, American crow, common raven, and red-tailed hawk.

Effects of Proposed Action on Wildlife, Special Status Species and Migratory Birds

The sale could result in the loss of approximately 320 acres of wildlife, Special Status Species and migratory bird habitat currently public lands under the management of the BLM.

Boulder Creek Parcels 04-07 (40 ac.) and 04-08 (120 ac.)

Big Game:

Mule Deer - The mule deer habitat management emphasis is intermediate range with both parcels located directly in a mule deer migration corridor. The area is characterized by both the mountain brush vegetation type and big sagebrush/bitterbrush vegetation type (“montane habitat”) on mountain ridges dissected by drainages. The subject parcels provide uniform intact intermediate range where bitterbrush, big sagebrush and scattered

pockets of serviceberry are the dominate overstory shrubs important for cover and forage. Upland areas with this shrub cover are interspersed with spring areas and associated riparian/meadow areas and wetland areas (“montane riparian habitat”). An active spring was observed on Parcel 04-07 on September 27, 2004. An active spring was observed on Parcel 04-08 on September 28, 2004. Fresh mule deer sign was observed on the ridge within Parcel 04-08.

Mule deer numbers are down dramatically from historic numbers for the affected mule deer herd area. The Nevada Department of Wildlife noted in their 2004-05 Big Game Status report that, “The carrying capacity of the winter range is now estimated at between 8,000 to 10,000 deer. This is... 65% less than it was 35 to 40 years ago.”

Habitat in the general area has been negatively affected by man’s activities and wildfires. The latest 93,000-acre Esmeralda Fire in July 2005, just to the west, makes this intact habitat even more important. Mule deer habitat for affected herds has been negatively impacted by the temporary and permanent loss of several thousand acres of intermediate range and migration corridors as a result of mining on the Carlin Mining Trend just a few miles south.

Pronghorn – Both parcels currently provide pronghorn summer range.

Other Game and Non-Game Species:

See first paragraph for Wildlife above directly under the Section heading.

Special Status Species

The area provides habitat for the following avian Nevada BLM Sensitive Species: loggerhead shrike, burrowing owl, golden eagle, Swainson’s hawk, ferruginous hawk, vesper sparrow, short-eared owl, long-eared owl, prairie falcon, black-rosy finch, northern goshawk, long-billed curlew and sage grouse. Habitat provided by the big sagebrush –bitterbrush vegetation type and scattered stands of serviceberry as part of the mountain brush vegetation type in association with riparian/meadow areas and wetlands. Note that many of these species are the also listed in the Migratory Birds Section.

Special Status Species bats – (See Table 3 under Jackpot Parcel 04-09 for a list of potential bat species that could occur on the parcels on a seasonal basis.) The presence of the riparian habitat in close proximity to mountainous terrain and potential roost sites associated with rocks, talus, aspen and abandoned mine dugouts, increases the likelihood of occurrence of bat species on the land parcels.

Bat foraging areas on riparian and meadow areas are limited on the subject parcels but could be increased with improved conditions. Foraging areas on uplands would be dispersed throughout the parcels and areas surrounding the parcels.

Sage Grouse - Sage grouse are a BLM sensitive species. Relative to the parcels, sage grouse droppings were observed at the active spring on Boulder Creek Parcel 04-07 on September 28, 2004. Sage grouse could use the parcel areas for seasonal habitat needs. This includes lek (breeding area)-associated resting, foraging, and roosting habitat; and nesting, early (upland) and late (riparian/meadow) brood-rearing, and winter habitat.

Boulder Creek Parcel 04-07 is within 5 km of the Little Coyote Creek sage grouse lek. Boulder Creek Parcel 04-08 is within 4.5 km from Little Coyote Creek Lek and 3.9 km of Bell Creek Lek. Per research on the BLM Elko District and other areas, nesting areas can either be in close proximity to leks to over 10 miles away. This likely depends on a given hen's fidelity for a given area and experience, and/or overall preferred habitat conditions sought for nesting success.

Wildlife

The sale could affect approximately 160 acres of wildlife habitat, including mule deer intermediate range and a migration corridor. Both parcels currently have intact native range. Future land development could result in permanent or partial loss of all or portions of 160 acres of mule deer intermediate range and a migration corridor as well as habitat for other wildlife species.

The parcels are within the Tuscarora Sage Grouse Population Management Unit (PMU) which has been determined to have the "highest risk" in 2004 for impacts to sage grouse populations and habitat for PMUs within the Northeastern Nevada Stewardship Group's Plan delineation area. Concerns have recently been heightened by the 93,000-acre Esmeralda Fire in July 2005 directly west of the parcels. Under the Risk Assessment category of "Changing Land Uses, Mining", the Group identified the action to, "mitigate losses of public lands lost."

Migratory Birds

Affected Environment - On January 11, 2001 President Clinton signed the Migratory Bird Executive Order. See Appendix E for scope of this executive order and applicable species shown for affected habitat type listed above per 1999 Nevada Partners in Flight Bird Conservation Plan. Both parcels provide upland habitat characterized primarily by the mountain big sagebrush-bitterbrush vegetation type and scattered serviceberry stands associated with the mountain brush vegetation type. One active spring was observed on Boulder Creek Parcel 04-07 and another one was observed on Boulder Creek Parcel 04-08.

Effects

The land sale could result in the loss of approximately 160 acres of migratory bird habitat under public lands management. See Effects under Wildlife Section for other potential consequences to migratory bird habitat.

Jackpot Parcel 04-09 (80 ac.)

Wildlife

The parcel is characterized by the Wyoming big sagebrush vegetation type. The parcel provides approximately 40 acres of mule deer "crucial" winter, 80 acres of mule deer and pronghorn range.

This parcel is located in both deer and elk movement corridors. It is uncertain as to how the patterns of wildlife movement would be maintained if this parcel is sold into private ownership (NDOW).

Other Game and Non-Game Species: See input shown above under Boulder Creek Parcels 04-07 and 04-08.

Special Status Species

The parcel also provides 80 acres of sage grouse summer and winter habitat and approximately 25 acres of sage grouse nesting habitat. There are four leks within 2.5 miles of the parcel.

Based on the predominant habitat type associated with this parcel as well as the surrounding habitat types, special status species most likely to occur within these parcels are outlined in Table 4, as follows:

Table 3

Special Status Species likely to Occur within the Jackpot Parcel		
Common Name	Scientific name	Habitat Type
		Sagebrush ¹ /grass
(USFWS) Federally Listed Threatened Species		
bald eagle (winter resident) ²	<i>Haliaeetus leucocephalus</i>	X
BLM Sensitive Species		
golden eagle	<i>Aquila chrysaetos</i>	X
Western burrowing owl	<i>Athene cunicularia</i>	X
ferruginous hawk	<i>Buteo regalis</i>	X
Swainson’s hawk	<i>Buteo swainsonii</i>	X
prairie falcon	<i>Falco mexicanus</i>	X
loggerhead shrike	<i>Lanius ludovicianus</i>	X
vesper sparrow	<i>Poocetes gramineus</i>	X
short-eared owl	<i>Asio flammeus</i>	X
Northern long-eared owl	<i>Asio otus</i>	X
sage grouse	<i>Centrocercus urophasianus</i>	X,O
long-eared myotis	<i>Myotis evotis</i>	X
long-legged myotis	<i>Myotis volans</i>	X
small-footed myotis	<i>Myotis ciliolabrum</i>	X
Pacific Townsend’s big-eared bat	<i>Corynorhinus townsendii pallescens</i>	X
Brazilian free-tailed bat	<i>Tadarida brasiliensis</i>	X
pallid bat	<i>Antrozous pallidus</i>	X
hoary bat	<i>Lasiurus cinereus</i>	X
pygmy rabbit	<i>Brachylagus idaoensis</i>	X
short –horned lizard	<i>Phrynosoma douglassii</i>	X

O Obligate Species – Obligate species are species which are dependent on a specific habitat type to complete their life cycles. They may, however, use other habitats as well.

¹ The Sagebrush/grass habitat type is dominated by big sagebrush, low sagebrush, shadscale, bud sage, and rabbit brush, respectively. Associated grass species include: bluebunch wheatgrass, Idaho fescue, Sandberg bluegrass, needlegrass, and bottlebrush squirreltail. Forbs include arrowleaf balsamroot, lupine, phlox, and aster

²The project area provides habitat for bald eagles, a Federally listed threatened species, during the fall and winter period.

Migratory Birds

See Appendix C for scope of the Migratory Birds Executive Order and applicable species shown for affected habitat type listed above per 1999 Nevada Partners in Flight Bird Conservation Plan.

Effects of Proposed Action to Wildlife, Special Status Species and Migratory Birds. The sale could result in the loss of approximately 80 acres of wildlife, Special Status Species and migratory bird habitat under public lands management.

This parcel is located in both deer and elk movement corridors. Sale of these public lands to private interests could interfere with historical patterns of wildlife movement. (NDOW)

Montello Parcels (Total approx. 3,422.38 ac.)

Parcel 04-10 (approx. 575.58 ac.)

Parcel 04-11 (approx. 663.34 ac.)

Parcel 04-12 (approx. 597.02 ac.)

Parcel 04-13 (approx. 301.40 ac.)

Parcel 04-14 (approx. 645.04 ac.)

Parcel 04-15 (approx. 640.00 ac.)

Wildlife

All six parcels are characterized by the salt desert shrub vegetation type. The main vegetative species are shadscale and greasewood. The parcels provide approximately 3,268 acres of intermediate mule deer and antelope yearlong range.

Parcels 4-10, 04-12, 04-13, 04-14 border the Highway 233 right-of-way. Nevada Department of Transportation (NDOT) is proposing a new right-of-way fence in this area. There are some concerns about sustaining current antelope movement if these parcels are sold into private ownership (NDOW). However, if these parcels are sold, they will be made subject to the 400 ft. wide right-of-way NDOT holds for Highway 233. NDOT would still be responsible for maintaining their right-of-way fence.

Special Status Species

The parcels are not within sage grouse use areas. Based on the predominant habitat type associated with these parcels as well as the surrounding habitat types, special status species most likely to occur within these parcels are outlined in Table 3, as follows:

Table 4

Special Status Species likely to Occur within the Montello Parcels		
Common Name	Scientific name	Habitat Types
		Salt Desert Shrub ¹
(USFWS) Federally Listed Threatened Species		
bald eagle (winter resident) ⁴	<i>Haliaeetus leucocephalus</i>	X
BLM Sensitive Species		
golden eagle	<i>Aquila chrysaetos</i>	X
Western burrowing owl	<i>Athene cunicularia</i>	X
ferruginous hawk	<i>Buteo regalis</i>	X
loggerhead shrike	<i>Lanius ludovicianus</i>	X
long-eared myotis	<i>Myotis evotis</i>	X
long-legged myotis	<i>Myotis volans</i>	X
small-footed myotis	<i>Myotis ciliolabrum</i>	X
Pacific Townsend's big-eared bat	<i>Corynorhinus townsendii pallescens</i>	X
Brazilian free-tailed bat	<i>Tadarida brasiliensis</i>	X
pallid bat	<i>Antrozous pallidus</i>	X
hoary bat	<i>Lasiurus cinereus</i>	X

¹Salt desert shrub habitat is characterized by the presence of a variety of salt-tolerant shrubs of the family Chenopodiaceae, predominantly shadscale and greasewood.

²The project area provides habitat for bald eagles, a Federally listed threatened species, during the fall and winter period

Migratory Birds

(Please see information above under the West Wendover Parcel 04-01 and Nevada Partners in Flight Bird Conservation Plan input (Appendix C) for the affected habitat type.)

Effects of Proposed Action on Wildlife, Special Status Species and Migratory Birds
The sale could result in the net loss of approximately 3,268 acres of wildlife, Special Status Species and migratory bird habitat under public lands management. BLM policies to conserve, enhance and protect overall wildlife habitat would no longer apply to these parcels.

Montello Parcels 04-10, 04-12, 04-13, 04-14 border Hwy 233 ROW. NDOT is proposing a new right-of-way fence in this area for sustaining current antelope movement which could be impeded should lands be sold to private interests. (NDOW) However, if these parcels are sold, they will be made subject to the 400 ft. wide right-of-way NDOT holds for Highway 233. NDOT would still be responsible for maintaining their right-of-way fence.

Dunphy Parcel – 03-18

Wildlife

The proposed land sale area provides crucial mule deer and pronghorn winter range with intact shrub cover within the Dunphy Hills. Wyoming big sagebrush is the dominate overstory shrub important for cover and forage. Depending on mule deer population levels, several hundred to several thousand deer migrate to areas along the Interstate 80 corridor that includes the Dunphy Hills. The Dunphy Hills has historically provided habitat for a high percentage of these deer.

Several hundred pronghorn migrate from relatively large summer range areas to generally restricted winter range areas along the north Interstate 80 corridor that include the proposed land sale area in the Dunphy Hills.

The parcel provides habitat for species associated with big sagebrush and desert shrub habitat types.

Other Game and Non-Game Species: See input shown above under Boulder Creek Parcels 04-07 and 04-08.

Special Status Species

No threatened, endangered, or candidate species are known to inhabit the subject parcel areas. However, the areas provide habitat for State of Nevada Listed Species and Nevada BLM Sensitive Species.

The parcel provides habitat for burrowing owls, golden eagles, Swainson's hawks and ferruginous hawks on intact big sagebrush and salt desert shrub habitat type areas. Burrowing owls were documented on June 23, 2003 by BLM personnel on the parcel north of the abandoned gravel pit.

It is unknown as to which bat species inhabit the subject parcels without survey work. The presence of the pond area on the Dunphy Parcel near the Argenta Rim (talus and cliffs) increases the likelihood of occurrence of bat species on the land parcels.

Migratory Birds

See Appendix C for scope of the Migratory Birds Executive Order and applicable species shown for affected big sagebrush, wetlands (gravel pit pond) and desert shrub habitat types per 1999 Nevada Partners in Flight Bird Conservation Plan.

Effects of Proposed Action to Wildlife, Special Status Species and Migratory Birds
The sale could result in the loss of approximately 80 acres of wildlife, Special Status Species and migratory bird habitat under public lands management. Public lands multiple use mandates including provisions to conserve, protect and enhance wildlife habitat would no longer apply if the lands are sold. Although the parcel has intact native range, BLM would foreclose on the opportunity to rehabilitate the area in the event of a wildfire or other negative event. Any impending land development could result in permanent or partial loss of all or portions of 80 acres of mule deer and pronghorn winter range as well as habitat for other wildlife species. The public could expect to see further declines in mule deer numbers since 90% of the winter range of affected herds has already been affected by man's actions and wildfires that have allowed for major changes in fire regimes. Pronghorn numbers could be dramatically reduced after a severe winter since the availability of intact winter range is a critical limiting factor. Although relatively small, the parcels are part of the collective winter range areas.

This parcel retains habitat components which could be essential from a deer winter range aspect due to its native sagebrush component. (NDOW)

The availability of winter habitat is a critical limiting factor for affected pronghorn and mule deer herds. The Nevada Division of Wildlife (NDOW) currently estimates that about 90% of the mule deer winter range has burned since the 1960s. With the exception of rehabilitation efforts, many areas are presently dominated by cheatgrass on the southern area that comprise Management Area Six and includes the Dunphy area. Shrub seeding rehabilitation, by natural or artificial means, has only resulted in limited improvement to fire-affected habitat. Current mule deer populations reflect the loss of winter habitat to fire although many other man-related factors are involved. Man-made features and disturbances such as net wire fences, and Interstate 80 and associated high volume traffic, act as barriers for big game movements further south. Some net wire fence has been removed to help facilitate big game movements across Interstate 80.

3.2.4 Cultural Resources

All parcels planned for disposal were inventoried for cultural resources in 2004 and 2005. Historic or archaeological artifacts were found in every parcel except Dunphy Parcel 03-18. These include isolated artifacts, historic artifact scatters and prehistoric toolstone procurement/reduction sites. None of these sites qualify for listing on the National Register of Historic Places and, therefore, would not be adversely affected by the sale of these parcels. A description of the cultural resources associated with each parcel is provided in the following section of resources brought forward for analysis:

West Wendover Parcel 04-01: Only isolated artifacts were located in this parcel.

Boulder Creek Parcel 04-07: Only isolated artifacts were located in this parcel.

Boulder Creek Parcel 04-08: One very small prehistoric site is present.

Jackpot Parcel 04-09: This parcel is within the Browns Bench Obsidian Source Area where prehistoric people gathered obsidian for making stone tools. Thirteen prehistoric sites were recorded within the sale parcel as originally proposed. Because one site qualifies for listing on the National Register of Historic Places, the part of the parcel containing this site was deleted from the sale. The reduced parcel (as described in proposed action) contains five sites. These range from two to eleven artifacts, none of which qualify for listing on the National Register.

Montello Parcel 04-10: The parcel contains two historic sites, one with 19 cans scattered over 22,100 sq. meters and another with three cans.

Montello Parcel 04-11: Contains three historic can scatters. Two sites consist of two cans and the third site contains three cans.

Montello Parcel 04-12: Contains two can scatters, each of which has eight artifacts.

Montello Parcel 04-13: This parcel contains an extensive historic/modern dump site. This site is a convoluted dump that is still in use today.

Montello Parcel 04-14: Contains two sites, one with three cans and the other 18 cans.

Montello Parcel 04-15: The parcel contains eight historic sites. These are: 1) 3 cans and a 1952 license plate, 2) 60 oil cans, a 1953 license plate and a 1952 Coke bottle, 3) 11 beer/soda cans, 1 rectangular can, 1 soda bottle, 4) 8 beer/soda cans 5) 3 cans, 2 fragmentary plates, 2 fragmentary tea cups, 1 shoe leather and 200 pieces of glass, 6) 2 sanitary cans and 3 beer/soda cans, 7) 23 cans, 8 jars, 25 glass fragments, 1 stove pipe piece, 8) 21 beer/soda cans, 14 other cans, 15 bottle caps, 1 bottle opener, 1 soda bottle.

3.2.5 Resource Issues

3.2.5(a) Invasive, Nonnative Species

Transfer of federal lands to private ownership could prevent these parcels from being included in existing large-scale weed treatment plans. These lands haven't been treated and don't easily fit within noxious weed control planning and treatment efforts in the Elko District. Weed treatments on these lands would be the responsibility of the private landowner. Since the weed infestations on these lands are mainly in sagebrush uplands, fewer resources, including important 16 riparian areas, could be affected by loss of native vegetation if treatment did not occur, in the short term.

3.2.5(b) Lands

Parcels that are difficult to manage would be disposed of. The conveyance of these lands into non-federal ownership would consolidate the land ownership pattern of non-federal lands and facilitate management for uses by the private sector. The federal lands would be conveyed subject to all valid prior and existing encumbrances and rights-of-way.

3.2.5(c) Minerals

The mineral rights associated with each parcel that is to be sold would be reserved to the United States and would not be conveyed into private ownership.

3.2.5(d) Range Management

The land sale would result in consolidated land ownership pattern for the federal and private lands. This would allow for a more effective and efficient way to manage the lands for both parties. The lands that are transferred out of federal ownership would no longer be permitted for use by the BLM. The private landowners would have control of utilization of the land. Approximately 392 AUMs would be lost in the Pilot Valley Allotment [Montello Parcels] as a result of the proposed action.

If parcels 03-18, 04-07, and 04-08 were not purchased by the current livestock permittee, the private land owner would have to fence this parcel to exclude livestock in accordance with Nevada state law (Open Range Law) or accept livestock grazing on private lands.

3.2.5(e) Visual Resource Management

The transfer of federal lands into the private lands in the proposed land sale would eliminate the ability to manage the lands for visual resources. The private owners would have full discretion over the scenic aspects of their land, regardless of the original BLM designation.

3.2.5(f) Water Quality, Surface/Ground

Changes in land use on Dunphy Parcel 03-18 could negatively impact water quality in the Humboldt River.

The spring on Dunphy Parcel 04-08 is a potential public water reserve. Disposal of this spring would result in a loss of management ability by the BLM.

3.2.5(g) Floodplains

Montello Parcels 04-10, 04-12, 04-13, and 04-14 are located on a 100 year floodplain for Loray Wash and tributaries.

3.2.5(h) Cultural Resources

Cultural resource inventories have been completed for all of the fourteen proposed sale parcels. None of the sites located within the inventoried sale parcels qualify for listing on the National Register of Historic Places (NRHP). Disposal of these parcels would not result in any significant loss of cultural resources. However, the proposed sale would remove any cultural resources from the protection of the Federal government and could lead to damage or destruction of these resources, should any be discovered after the sale has been finalized.

3.3 Lands Use

3.3.1 West Wendover Parcel 04-01 (319.80 acres)

3.3.1(a) Lands

Rights-of-way and Other Land Use Authorizations:

The proposal would overlap the following land use authorizations:

04-01 West Wendover. T. 33 N., R. 69 E., Section 1, Lots 1-4, N $\frac{1}{2}$ S $\frac{1}{2}$

NVN 13330	N $\frac{1}{2}$ Federal Aid Highway (Sec 107) Non-Energy Facilities R/W NV DOT, 1263 S Stewart St., Carson City, NV 89712
NVN 36680	S $\frac{1}{2}$ NW $\frac{1}{4}$. Lot 4. Water Facility Right of Way; Non-Energy Facilities City of West Wendover, Box 2825, West Wendover, NV 89883
NVN 47793	S $\frac{1}{2}$ NW, S $\frac{1}{2}$; Lots 3, 4 Fiber Optic Facilities, Tel & Teleg R/W Beehive Telephone Co., 2000 Sunset Road, Lake Point, UT 84074
NVN 65550	SWNW, NESW, SWSE; Lot 4; RSDL SWSSENW, SWNWSW, SWSESE Fiber Optic Facilities Right-of-Way (PENDING) Williams Communications, POB 22064, Tulsa, OK 74121
NVN 003160	N $\frac{1}{2}$ Federal Aid Highway (Sec 17) 971 Non-Energy Facilities NV DOT, 1263 S Stewart St., Carson City, NV 89712
NVN 064049	N $\frac{1}{2}$ Other Energy Facilities Right-of-Way; Power Transmission Wells Rural Electric, Box 365, Wells, NV 89835

Access. (See map in Appendix A, page 29)

Interstate 80 runs through this parcel approximately 1 mile northwest of the City of West Wendover. It is accessible via a frontage road to the south and one to the north of I-80.

3.3.1(b) Range Improvements:

There are no range improvements located on this parcel.

3.3.1(c) Range Management

This parcel is located within the Leppy Hills and Pilot Peak Allotments. The permittee in the Leppy Hills Allotment is H&R Livestock. The permittee for the Pilot Allotment is J. R. Simplot Land and Livestock.

The plant community is comprised salt desert shrubs with an understory of Indian ricegrass, Sandberg bluegrass, and Bottlebrush squirreltail. Forbs include milkvetch, globe mallow, phlox, and aster. Annuals such as cheatgrass, mustard, and halogeton also dominate the site.

3.3.1(d) Minerals

Parcel 04-01 – Contains no active mining claims. There are no mineral material sites on this parcel, but there is a mineral material site in adjacent section 2, T. 33 N., R. 69 E.

There is also a gravel pit south of the parcel on private land.

Minerals Potential - Locatable Minerals (Low); Leasable Minerals (Low to Moderate); Salable Minerals (High).

3.3.2 Boulder Creek Parcel 04-07 (40 acres)

3.3.2(a) Lands

Rights-of-way and Other Land Use Authorizations:

The proposal would overlap the following land use authorizations:

04-07 Boulder Creek T. 37 N, R. 50 E., Section 9. NW $\frac{1}{4}$ NE $\frac{1}{4}$
(No encumbrances)

Access (See map in Appendix A, page 30)

Located approximately 16 miles southwest of Tuscarora; approximately 31 miles north of Interstate 80. Accessible via dirt and gravel roads, generally via 4-wheel drive vehicle.

3.3.2(b) Range Improvements

There are no range improvements located on this parcel.

3.3.2(c) Range Management

This parcel is located within the 25 Allotment, Boulder Creek Pasture. Livestock grazing is permitted to the 25 Ranch LLC. Permitted use is 8 AUMs for this parcel.

3.3.2(d) Minerals

Parcel 04-07 – contains no active mining claims.

Minerals Potential: Locatable Minerals (Low to Moderate); Leasable Minerals (Low to Moderate); Salable Minerals (Low).

3.3.3 Boulder Creek Parcel 04-08 (120 acres)

3.3.3(a) Lands

Rights-of-way and Other Land Use Authorizations:

The proposal would overlap the following land use authorizations:

04-08 Boulder Creek T. 37 N., R. 50 E., Section 20. SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$
(No encumbrances)

Access (See map in Appendix A, page 30)

Located approximately 19 miles southwest of Tuscarora; approximately 29 miles north of Interstate 80. Accessible via dirt and gravel roads in good weather, generally via 4-wheel drive vehicle.

3.3.3(b) Range Improvements

There are no range improvements located on this parcel.

3.3.3(c) Range Management

This parcel is located within the 25 Allotment, Boulder Creek Pasture. Livestock grazing is permitted to the 25 Ranch LLC. Permitted use is 28 AUMs for this parcel.

3.3.3(d) Minerals

Parcel 04-08 – contains no active mining claims.

Minerals Potential: Locatable Minerals (Low to Moderate); Leasable Minerals (Low to Moderate); Salable Minerals (Low).

3.3.4 Jackpot Parcel 04-09 (80 acres)

3.3.4(a) Lands

Rights-of-way and Other Land Use Authorizations:

The proposal would overlap the following land use authorizations:

04-09	Jackpot	T. 47 N., R. 64 E., Section 13. SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$
NVN 36723		W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ R/W Tele & Teleg, FLPMA; Non-Energy Facilities. Buried telephone line Filer Mutual Tele Co Box 89 Filer, ID 83328
NVN 057019		W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Fed Aid Highway (Sec 317); Non-energy Facilities NDOT 1263 S. Stewart Street, Carson City, NV 89712
NVN 050805		N $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ R/W-Power Trans-FLPMA; Other Energy Facilities Raft River Electric Box 617 Malta, ID 83342
NVN 076898		SW $\frac{1}{4}$ NW $\frac{1}{4}$ R/W Misc & Special (Ranch Entrance Sign); Non-Energy Y311 Partnership 4414 S. Gekeler Lane Boise, ID 83716

Access (See map in Appendix A, page 30)

Highway 93 runs past a ranch entrance (Y3) to the parcel area, approximately one (1) mile south of Jackpot, Nevada.

3.3.4(b) Range Improvements

One range improvement JDR #0469 is located in this parcel

3.3.4(c) Range Management

This parcel is located within the Jackpot Allotment. The permittee is the Y3 II Ranch. The plant community is dominated by crested wheatgrass.

3.3.4(d) Minerals

Parcel 04-09 – contains no active mining claims.

Minerals Potential: Locatable Minerals (Low); Leasable Minerals (Low to Moderate); Salable Minerals (High).

3.3.5 Montello Parcel 04-10 (575.58 acres)

3.3.5(a) Lands

Rights-of-way and Other Land Use Authorizations:

The proposal would overlap the following land use authorizations:

04-10 Montello	T. 38 N., R. 68 E., Section 2. Lots 2-4, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$
NVN 52499	SE $\frac{1}{4}$ NE $\frac{1}{4}$ R/W Roads Non-Energy Facility. Elko County Courthouse #106 Elko, NV 89801
NVN 054317	S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and Lot 1 R/W Federal Aid Highway (Sec 17); Non-Energy Facilities NDOT 1263 S Stewart St. Carson City NV 89712
NVN 0054649	Lot 1; MNR N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Material Site(s) (Sec 17); Non-Energy Facilities NDOT 1263 S Stewart Street Carson City NV 89712

Access (See map in Appendix A, page 31)

The Montello parcels are located near the town of Montello, Nevada, approximately 20 miles northeast of Interstate 80 from the Oasis exit on highway 233, a two-lane paved roadway.

3.3.5(b) Range Improvements

There are no range improvements within this parcel.

3.3.5(c) Range Management

This parcel is located within the Pilot Valley Allotment. The Pilot Valley Allotment is a common allotment. The permittees are Bar O Ranch, Winecup-Gamble L.L.C., and John Tybo.

The plant communities are characterized by salt desert shrub, black sagebrush, and white sagebrush. The salt desert and black sagebrush communities are dominated by white

sagebrush, shadscale, bud sagebrush, black sagebrush, and rabbit brush. Major grass species include Indian ricegrass, Sandberg bluegrass, needlegrass, and bottlebrush squirreltail. Forbs include milkvetch, globe mallow, phlox, and aster.

3.3.5(d) Minerals

Parcel 04-10 – contains no active mining claims but does contain a mineral material site in the northeast section of the parcel.

Minerals Potential: Locatable Minerals (Low); Leasable Minerals (Low to Moderate); Salable Minerals (High).

3.3.6 Montello Parcel 04-11 (663.34 acres)

3.3.6(a) Lands

Rights-of-way and Other Land Use Authorizations:

The proposal would overlap the following land use authorizations:

04-11 Montello	T. 38 N., R. 69 E., Section 6. Lots 8-23
NVN 52499	Lots 8 – 11 R/W Roads; Non-Energy Facilities Elko County Courthouse #106 Elko NV 89801
NVN 058379	Lots 8, 14, 15, 17, 18, 21, 22 R/W Power Trans Line; Other Energy Facilities Raft River Elect Box 617 Malta ID 83342

Access (See map in Appendix A, page 31)

The Montello parcels are located near the town of Montello, Nevada, approximately 20 miles northeast of Interstate 80 from the Oasis exit on highway 233, a two-lane paved roadway.

3.3.6(b) Range Improvements

There are no range improvements within this parcel.

3.3.6(c) Range Management – N/A

3.3.6(d) Minerals

Parcel 04-11 – contains no active mining claims.

Minerals Potential: Locatable Minerals (Low); Leasable Minerals (Low to Moderate); Salable Minerals (High).

3.3.7 Montello Parcel 04-12 (597.02 acres)

3.3.7(a) Lands

Rights-of-way and Other Land Use Authorizations:

The proposal would overlap the following land use authorizations:

04-12 Montello	T. 39 N., R. 68 E., Section 36. Lots 7-18, W½
----------------	---

NVN 46266 NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$
 R/W Tel & Teleg, FLPMA; Fiber Optic Facilities
 AT&T GRE Lease Admin 55 Corporate Dr Rm 21C70
 Bridgewater NJ 08807

NVN 054317 E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$; Lot 9
 R/W Fed Aid Highway (Sec 17); Non-Energy Facilities
 NDOT 1263 S Stewart St Carson City NV 89712

Access (See map in Appendix A, page 31)

The Montello parcels are located near the town of Montello, Nevada, approximately 20 miles northeast of Interstate 80 from the Oasis exit on highway 233, a two-lane paved roadway.

3.3.7(b) Range Improvements

There are no range improvements within this parcel.

3.3.7(c) Range Management

This parcel is located within the Pilot Valley Allotment. The Pilot Valley Allotment is a common allotment. The permittees are Bar O Ranch, Winecup-Gamble L.L.C., and John Tybo.

The plant communities are characterized by salt desert shrub, black sagebrush, and white sagebrush. The salt desert and black sagebrush communities are dominated by white sagebrush, shadscale, bud sagebrush, black sagebrush, and rabbit brush. Major grass species include Indian ricegrass, Sandberg bluegrass, needlegrass, and bottlebrush squirreltail. Forbs include milkvetch, globe mallow, phlox, and aster.

Parcels 04-10, 04-12, 04-13, 04-14 - border Hwy 233 ROW. NDOT is proposing a new ROW fence in this area and there are concerns about sustaining current antelope movement should lands be sold to private interests. (Steve Foree, NDOW)

3.3.7(d) Minerals

Parcel 04-12 – contains no active mining claims.

Minerals Potential: Locatable Minerals (Low); Leasable Minerals (Low to Moderate); Salable Minerals (High).

3.3.8 Montello Parcel 04-13 (301.36 acres)

3.3.8(a) Lands

Rights-of-way and Other Land Use Authorizations:

The proposal would overlap the following land use authorizations:

04-13 Montello T. 39 N., R. 69 E., Section 18. Lots 1-4, NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$

NVCC 020892 SE $\frac{1}{4}$ NW $\frac{1}{4}$; Lot 2
 R/W Water Facility; Non-Energy Facilities
 Elko County Courthouse #106 Elko NV 89801

Access (See map in Appendix A, page 31)

The Montello parcels are located near the town of Montello, Nevada, approximately 20 miles northeast of Interstate 80 from the Oasis exit on highway 233, a two-lane paved roadway.

3.3.8(b) Range Improvements

There are no range improvements within this parcel.

3.3.8(c) Range Management

This parcel is located within the Pilot Valley Allotment. The Pilot Valley Allotment is a common allotment. The permittees are Bar O Ranch, Winecup-Gamble L.L.C., and John Tybo.

The plant communities are characterized by salt desert shrub, black sagebrush, and white sagebrush. The salt desert and black sagebrush communities are dominated by white sagebrush, shadscale, bud sagebrush, black sagebrush, and rabbit brush. Major grass species include Indian ricegrass, Sandberg bluegrass, needlegrass, and bottlebrush squirreltail. Forbs include milkvetch, globe mallow, phlox, and aster.

3.3.8(d) Minerals

Parcel 04-13 – contains no active mining claims but does have a mineral material site in the southeast corner of the parcel.

Minerals Potential: Locatable Minerals (Low); Leasable Minerals (Low to Moderate); Salable Minerals (High).

3.3.9 Montello Parcel 04-14 (645.18 acres)

3.3.9(a) Lands

Rights-of-way and Other Land Use Authorizations:

The proposal would overlap the following land use authorizations:

04-14 Montello T. 39 N., R. 69 E., Section 30. Lots 5-16, SE¼

NVN 41038 Lots 5-9
R/W Power Trans – FLPMA; Other Energy Facilities
Raft River Electric Box 617 Malta ID 83342

Access (See map in Appendix A, page 31)

The Montello parcels are located near the town of Montello, Nevada, approximately 20 miles northeast of Interstate 80 from the Oasis exit on highway 233, a two-lane paved roadway.

3.3.9(b) Range Improvements

There are no range improvements within this parcel.

3.3.9(c) Range Management

This parcel is located within the Pilot Valley Allotment. The Pilot Valley Allotment is a common allotment. The permittees are Bar O Ranch, Winecup-Gamble L.L.C., and John Tybo.

The plant communities are characterized by salt desert shrub, black sagebrush, and white sagebrush. The salt desert and black sagebrush communities are dominated by white sagebrush, shadscale, bud sagebrush, black sagebrush, and rabbit brush. Major grass species include Indian ricegrass, Sandberg bluegrass, needlegrass, and bottlebrush squirreltail. Forbs include milkvetch, globe mallow, phlox, and aster.

3.3.9(d) Minerals

Parcel 04-14 – contains no active mining claims.

Minerals Potential: Locatable Minerals (Low); Leasable Minerals (Low to Moderate); Salable Minerals (High).

3.3.10 Montello Parcel 04-15 (640 acres)

3.3.10(a) Lands

Rights-of-way and Other Land Use Authorizations:

The proposal would overlap the following land use authorizations:

04-15 Montello	T. 39 N, R. 69 E., Section 32
NVN 41038	S ¹ / ₂ S ¹ / ₂ , MNR NW ¹ / ₄ NW ¹ / ₄ NW ¹ / ₄ NW ¹ / ₄ R/W Power Trans – FLPMA; Other Energy Facilities Raft River Electric Box 617 Malta ID 83342
NVN 52499	S ¹ / ₂ S ¹ / ₂ R/W Roads; Non-Energy Facilities Elko County Courthouse #106 Elko NV 89801
NVN 058379	S ¹ / ₂ SW ¹ / ₄ R/W Power Trans Line; Other Energy Facilities Raft River Electric Box 617 Malta ID 83342

Access (See map in Appendix 1, page 31)

The Montello parcels are located near the town of Montello, Nevada, approximately 20 miles northeast of Interstate 80 from the Oasis exit on highway 233, a two-lane paved roadway.

3.3.10(b) Range Improvements

There are no range improvements within this parcel.

3.3.10(c) Range Management

This parcel is located within the Pilot Valley Allotment. The Pilot Valley Allotment is a common allotment. The permittees are Bar O Ranch, Winecup-Gamble L.L.C., and John Tybo.

The plant communities are characterized by salt desert shrub, black sagebrush, and white sagebrush. The salt desert and black sagebrush communities are dominated by white sagebrush, shadscale, bud sagebrush, black sagebrush, and rabbit brush. Major grass species include Indian ricegrass, Sandberg bluegrass, needlegrass, and bottlebrush squirreltail. Forbs include milkvetch, globe mallow, phlox, and aster.

3.3.10(d) Minerals

Parcel 04-15 – contains no active mining claims.

Minerals Potential: Locatable Minerals (Low); Leasable Minerals (Low to Moderate); Salable Minerals (High).

3.3.11 Dunphy Parcel 03-18 (79.5 acres)

3.3.11(a) Lands

Rights-of-way and Other Land Use Authorizations:

The proposal would overlap the following land use authorizations:

03-18	Dunphy	T. 33 N., R. 49 E., Section 30, Lots 3 and 4
NVCC 021140	Lot 4	Federal Aid Highway (Sec 17) Non-Energy Facilities R/W NV DOT, 1263 S Stewart St, Carson City, NV 89712
NVN 58497	Lot 4	R/W Telephone-Telegraph, FLPMA; Fiber Optics Nevada Bell POB 11010 R/W Dept., Reno, NV
NVN 65832	Lot 4	R/W Power Trans-FLPMA; Other Energy Facilities Sierra Pacific Power Co, POB 10100 Reno, NV 89520
NVN 77130FD	Lots 3,4	(PENDING) EX-BLM Sec 206, FLPMA. Segregation of Lands BLM 3900 E Idaho St Elko, NV 89801
NVN 063305	Lots 3,4	R/W Telephone-Telegraph 43USC961, Non-Energy Facilities Nevada Bell POB 11010 R/W Dept. Reno, NV 89520
NVN 065874	Lot 4	R/W Telephone-Telegraph 43USC961, Non-Energy Facilities Nevada Bell POB 11010 R/W Dept, Reno, NV 89520

Access (See map in Appendix A, page 31)

The Dunphy Parcel is located approximately ¼ mile north of Interstate 80; approximately one mile southeast of Dunphy, Nevada. A maintained public gravel road runs directly through the property.

3.3.11(c) Range Management

This parcel is located within the T Lazy S Allotment and is licensed as Fenced Federal Range. Livestock grazing is permitted to Elko Land and Livestock Company. Permitted use is 6 AUMs for this parcel. There are no range improvements located on this parcel. However, this parcel is located adjacent to the boundary fence.

3.3.11(d) Minerals

Parcel 3-18 – Newmont Mining Corporation hold five active lode claims in the SW¼ of Section 30. There are no active oil and gas or other leases or mineral material sites. An old gravel pit filled with water lies within the parcel.

Minerals Potential: Locatable Minerals (Low to Moderate); Leasable Minerals (Low to Moderate); Salable Minerals (High).

3.4 No Action Alternative

The description of the affected environment for the No Action alternative would be the same as that for the proposed action.

The description of the environmental consequences for the No Action alternative would be that the land would not be sold and would continue to be managed as public lands. Maintaining these parcels in public land ownership would maintain the current level of administration workload.

3.5 Mitigation

No mitigation measures are considered appropriate or necessary. As a result of a successful sale, this land would enter into private ownership. Elko and Eureka county zoning and building ordinances would be utilized to regulate development of these parcels. The State of Nevada would enforce any action(s) required for the control of environmental procedures.

3.6 Cumulative Impact Analysis

The Federal Land Transaction Facilitation Act (FLTA) of July 25, 2000, (P.L. 106-248) shall terminate ten years after the date of enactment of this Act. On the date of termination of the Act, the Federal Land Disposal Account shall be terminated and any remaining balance in the account shall become available for appropriation under section 3 of the Land and Water Conservation Fund Act (16 U.S.C. 4601-6) which operates to automatically extend the appropriations authorization found in Section 206 or repeal FLTA.

With completion of the sale, the opportunity would exist for more efficient management of public and private lands.

The consolidation of ownership into a more blocked configuration would produce benefits for the BLM. Management of intermingled lands is more difficult, more expensive and less efficient. The counties would add these lands into their tax base and these lands would be administered under the rules and regulations of the county planning and zoning laws as well as the State of Nevada Environmental Protection Agency and other regulations and laws. It would be highly unlikely for the general public to use these lands for OHV and other surface disturbing activities.

The likely future uses of the federal lands that would be transferred into private ownership, in combination with past and present uses, are not expected to produce cumulative impacts that can be considered significant. Future management of both private and public lands resulting from consolidation and the associated opportunities for making positive changes in management likely would produce benefits in the future, compared with management of those same lands without the sale.

West Wendover Parcel 04-01: I-80 currently runs through this parcel, which is located approximately 2 miles west of the City of West Wendover, Nevada. The city does have expansion plans, but is currently working on expansion within the city limits and possible recreational trails in the future. Other lands surrounding this parcel are already in private ownership.

Boulder Creek Parcel 04-07: The only road into this area is a steep 2-track road, generally only accessible in good weather and with a 4 wheel drive vehicle. The Esmeralda Fire occurred in the summer of 2005 in the surrounding area, but is being revegetated and erosion control is in place. The fire did not directly affect this parcel or abutting parcels. Open pit mining occurs within a few miles south and south west of this parcel. Rehabilitation and revegetation is occurring within the mine areas. This parcel is surrounded by privately owned parcels.

Boulder Creek Parcel 04-08: This parcel is not readily accessible even with 4 wheel drive vehicles, unless the ground is dry. Open pit mining occurs within a few miles of this parcel which is surrounded by privately owned parcels.

Jackpot Parcel 04-09: This parcel is located approximately 1 mile south of the Town of Jackpot, Nevada. It is located next to Highway 93A. Private land ownership exists in the area and a public airport is located approximately 1 mile northwest of this parcel. The Y3 Ranch abuts portions of the public lands.

Montello Parcels 04-10, 04-11, 04-12, 04-13, 04-14, 04-15: These parcels are located within a checkerboard area near the Town of Montello. Highway 233 runs past this area from I-80 to the Nevada-Idaho border. Many parcels in this area are being developed for residential use. The remainder is primarily agricultural. A railroad runs past the Town of Montello, near the proposed sale parcels. The Raft River power station is located approximately 3 miles north of the area.

Dunphy Parcel 03-18: Located approximately ¼ mile north of I-80, the Dunphy Parcel is completely surrounded by privately owned lands. A county-maintained road runs through the south-western portion of the parcel and is used mostly for employees of two mines within the area north of the parcel. The Rose Canal runs alongside the western portion of this parcel and the Humboldt River runs approximately ¼ mile south. Railroad tracks run in a south-westerly direction approximately 1 mile from the parcel. The Town of Dunphy is located within 2 miles west of the Dunphy Parcel. There is generally a great deal of activity in the immediate area due to travel as well as already populated areas within a small circumference. Sewage ponds are located in the Dunphy area approximately 2 miles west of this parcel.

3.7 Monitoring

No monitoring needs have been identified for this action.

3.8 Environmental Justice

Executive Order 12898 was signed in 1994 to address Environmental Justice issues and their potential negative effects as it applies to minority and low-income populations. The parcels identified for disposal are fairly isolated and located in mostly rural areas.

4.0 CONSULTATION AND COORDINATION

A. List of Preparers

DJ (Darci) Beaupourt - Lands, Lead Preparer
 Tamara Hawthorne – Wilderness, Recreation, Visual Resources
 Mark Coca – Invasive, Nonnative Species
 Pat Coffin – Wetland/Riparian Zones
 Ken Wilkinson, Wendy Fuell - Wildlife, Special Status Species, Migratory Birds
 Deb McFarlane - Geology, Hazardous Materials
 Mark Dean - Soil, Water and Air
 Tim Murphy, Teresa Dixon - Cultural Resources
 Gerald Dixon - Native American Religious Concerns
 Bruce Thompson, Tyson Gripp, Donna Nyrehn - Vegetation, Range Management

B. Persons, Agencies, or Groups Consulted

City of Elko Nevada
 Nevada Land and Resource, LLC
 Elko County Commissioners Division of State Lands, Land Use Planning
 Elko County Board of Planning Commissioners
 Eureka County Planning Commission
 Nevada Department of Wildlife, Steve Foree
 Natural Resources Conserv. Service
 Nevada Division of State Lands
 Nevada State Clearinghouse
 U.S. Fish and Wildlife
 Governor Kenny Guinn, State of Nevada
 Senator John Ensign, Nevada
 Senator Harry Reid, Nevada
 Representative Jim Gibbons, Nevada
 Bureau of Indian Affairs (BIA)
 Western Land Exchange Project
 Western Shoshone Defense Project
 Western Watersheds Project
 Battle Mountain Band Council
 Temoak Tribal Council
 Ely Shoshone Council
 Wells Band Council
 Duck Valley Sho-Pai Tribe
 South Fork Band Council
 Elko Band Council

Wells Rural Electric
NV Dept. of Transportation
Nevada Bell
Williams Communications Inc.
Citizens Communications
USDA Forest Service
Sierra Pacific Power Co.
Beehive Telephone Co. Inc.
Wells Band Council
WWC License LLC
Sprint Communications
City of West Wendover, NV
Union Pacific Railroad Co.
FAA, Nevada
American Tower Corporation
BRS Associates
Raft River Electric
Filer Mutual Telephone Co
Y3II Partnership
AT&T GRE Lease Administration
Adjacent Landowners

APPENDIX A: BACA FY2006 PUBLIC LAND SALES MAPS

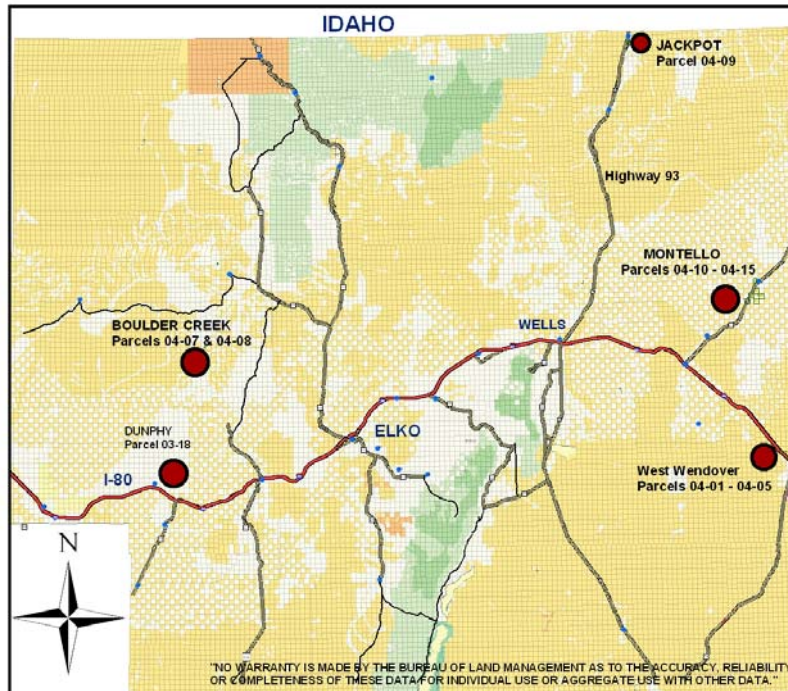
BACA LAND SALES FY2005

Legend

- Cities
- Public (Admin by BLM)
- Bureau of Reclamation
- Department of Defense
- Native American Reservation
- Private
- U.S. Forest Service
- U.S. Fish & Wildlife Service
- USFS Wilderness Area
- Improved
- Primary Highway
- Secondary Highway



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ELKO FIELD OFFICE
January 2005



BACA LAND SALES (West Wendover) FY2005

Parcel 04-01

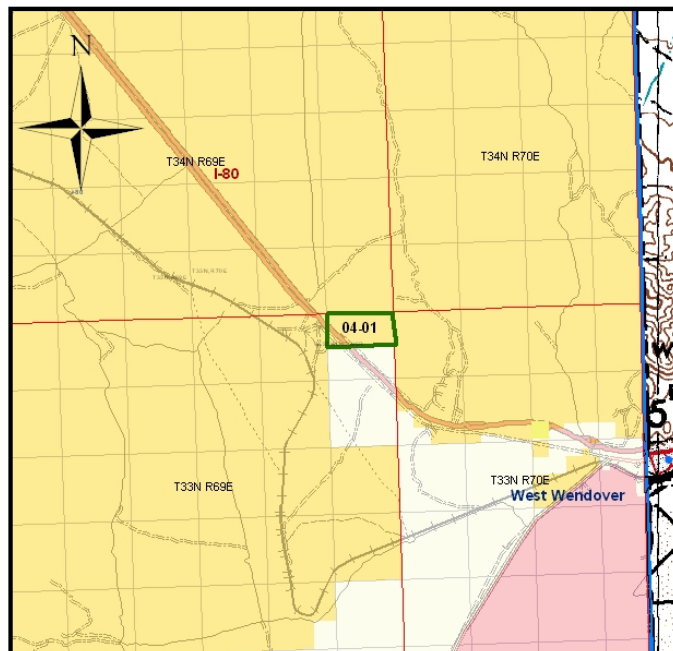
Legend

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- Public (Admin by BLM)
- Bureau of Reclamation
- Department of Defense
- Native American Reservation
- Private
- U.S. Forest Service
- U.S. Fish & Wildlife Service
- USFS Wilderness Area
- Interstate Highway
- State Highway
- Improved road
- Maintained road
- Dirt road
- Two-track
- 4WD



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June 2005

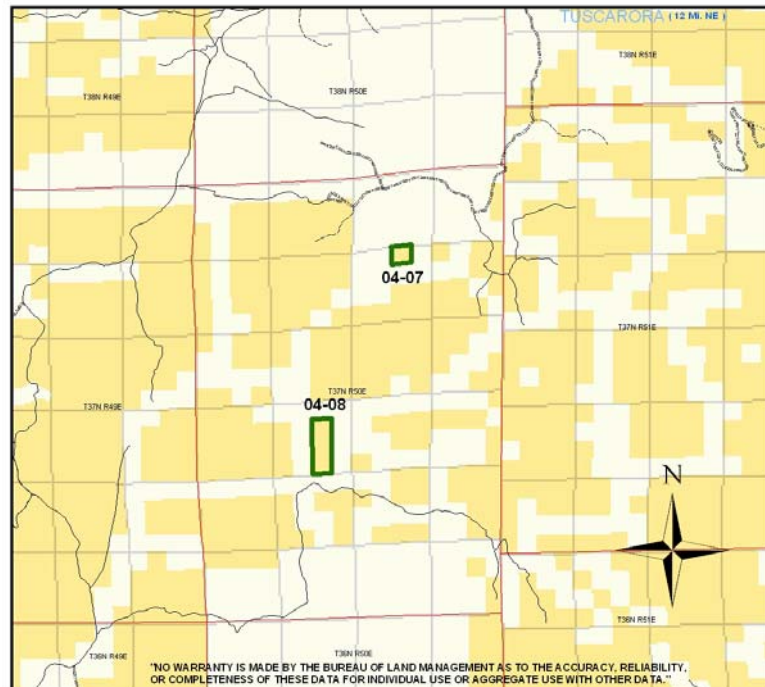


APPENDIX A (continued): BACA FY2006 Public Land Sales Maps

**BACA LAND SALES
(Boulder Creek)
FY2005**

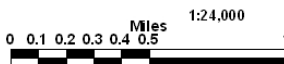
Parcel 04-07
Parcel 04-08

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October 2004



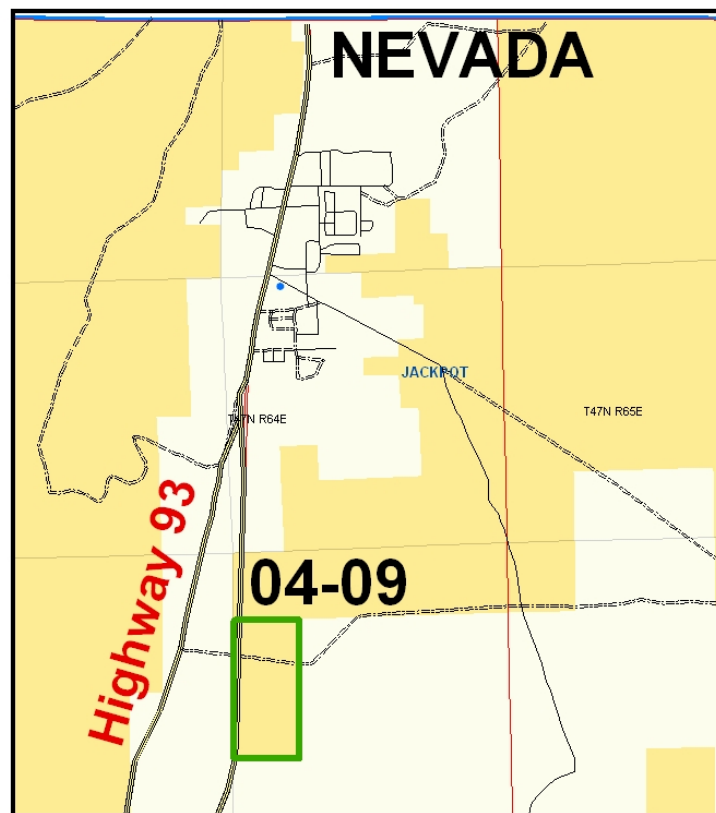
BACA LAND SALES (Jackpot)

**FY2005
Parcel 04-09**



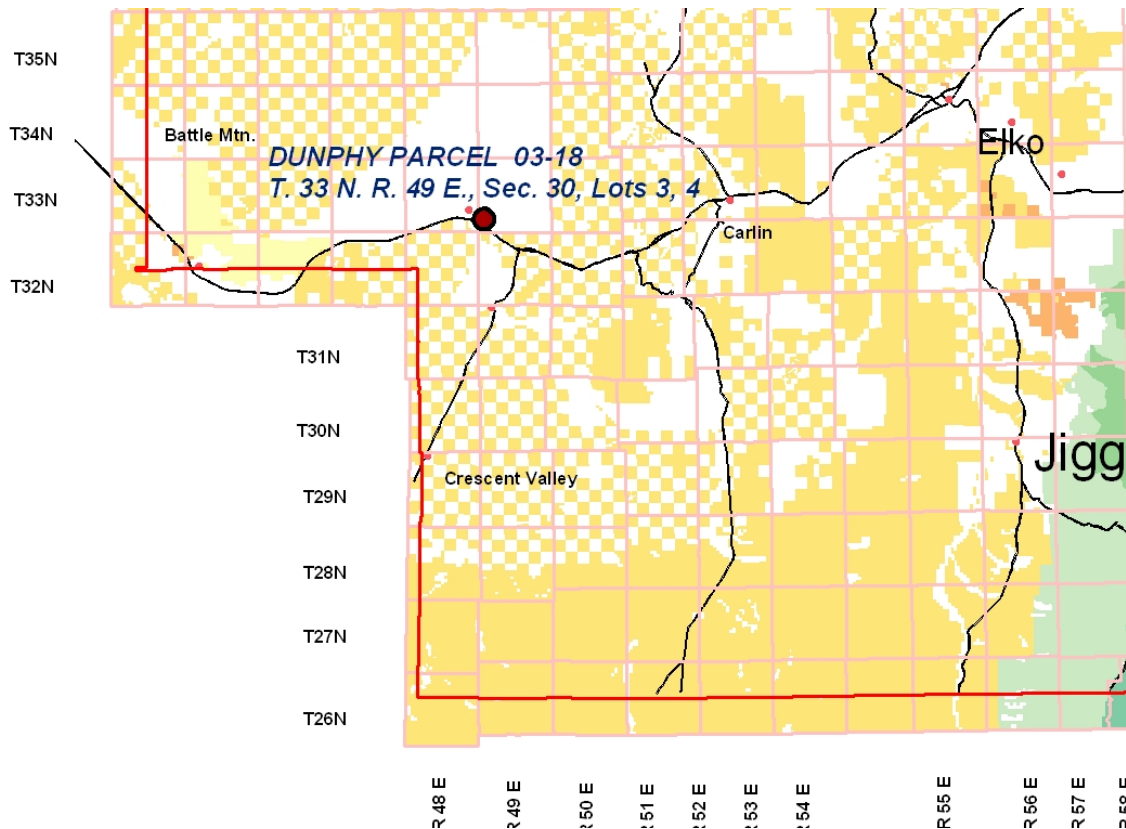
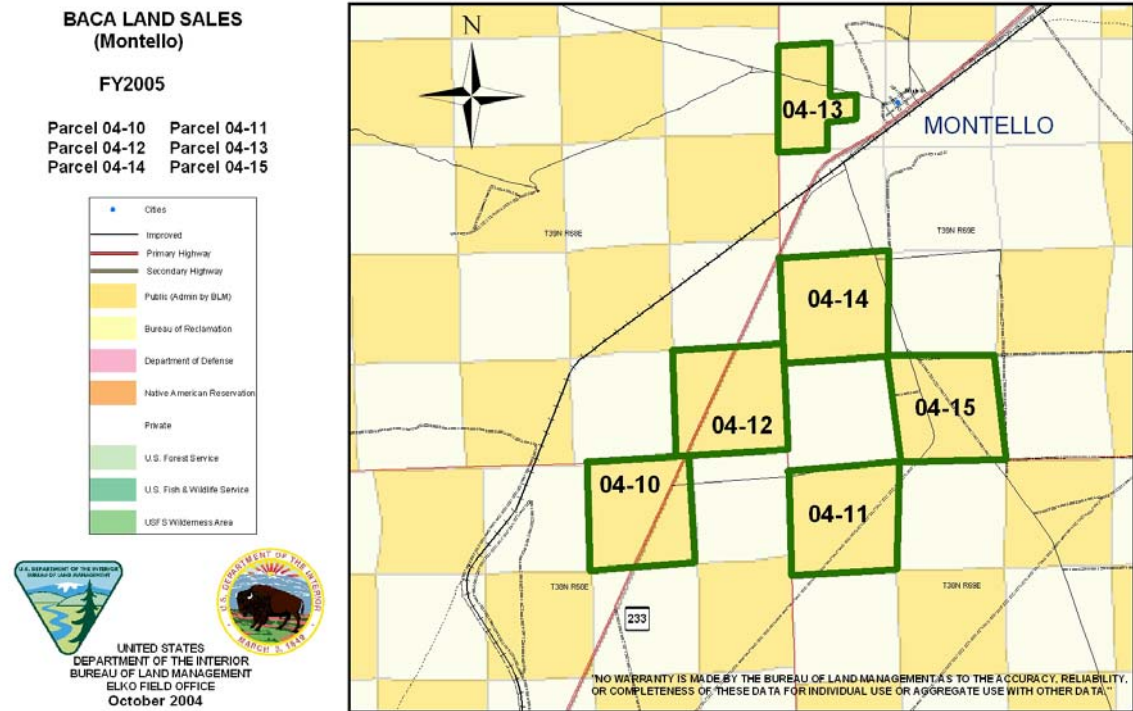
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APPENDIX A (continued): BACA FY2006 Public Land Sales Maps



APPENDIX B

Wildlife Species List

Lower Sagebrush/Grassland Steppe, Northeastern Nevada

Birds

Turkey Vulture
Bald Eagle
Northern Harrier
Swainson's Hawk
Red-tailed Hawk
Ferruginous Hawk
Rough-legged Hawk
Golden Eagle
American Kestrel
Merlin
Prairie Falcon
Cray Partridge
Chukar
Sage Grouse
Mourning Dove
Great Horned Owl
Burrowing Owl
Short-eared Owl
Common Nighthawk
Broad-tailed Hummingbird
Northern Flicker
Gray Flycatcher
Ash-throated Flycatcher
Say's Phoebe
Western Kingbird
Horned Lark
Barn Swallow
Black-billed Magpie
American Crow
Common Raven
Rock Wren
Mountain Bluebird
American Robin
Sage Thrasher
Loggerhead Shrike
Northern Shrike
European Starling
Brewer's Sparrow
Vesper Sparrow
Lark Sparrow
White-crowned Sparrow
Lapland Longspur
Red-winged Blackbird
Western Meadowlark
Brewer's Blackbird
Brown-headed Cowbird
Black Rosy Finch
Gray-crowned Rosy Finch
House Sparrow

Cathartes aura
Haliaetus leucocephalus
Circus cyaneus
Buteo swainsoni
Buteo jamaicensis
Buteo regalis
Buteo lagopus
Aquila chrysaetos
Falco sparverius
Falco columbarius
Falco mexicanus
Perdix perdix
Alectoris chukar
Centrocercus urophasianus
Zenaidura macroura
Bubo virginianus
Athene cunicularia
Asio flammeus
Chordeiles minor
Selasphorus platycercus
Colaptes auratus
Epidonax wrightii
Myiarchus cinerascens
Sayornis saya
Tyrannus verticalis
Eremophila alpestris
Hirundo rustica
Pica pica
Corvus brachyrhynchos
Corvus corax
Salpinctes obsoletus
Sialia currucoides
Turdus migratorius
Oreoscoptes montanus
Lanius ludovicianus
Lanius excubitor
Sturnus vulgaris
Poocetes gramineus
Chondestes grammacus
Amphispiza belli
Zonotrichia leucophrys
Calcarius lapponicus
Agelaius phoeniceus
Sturnella neglecta
Euphagus cyanocephalus
Molothrus ater
Leucosticte atrata
Leucosticte tephrocotis
Passer domesticus

Mammals

Little Brown Bat
Long-eared Myotis
Long-legged Myotis
Small-footed Myotis
Silver-haired Bat
Western Pipistrelle
Big Brown Bat
Townsend's Big-eared Bat
Brazilian Free-tailed Bat
Black-tailed Jackrabbit
Mountain Cottontail
Pygmy Rabbit
Townsend's Ground Squirrel
Belding Ground Squirrel
Least Chipmunk
Botta's Pocket Gopher
Northern Pocket Gopher
Little Pocket Mouse
Great Basin Pocket Mouse
Dark Kangaroo Mouse
Ord Kangaroo Rat
Chisel-toothed Kangaroo Rat
Deer Mouse
Northern Grasshopper Mouse
Desert Woodrat
Sagebrush Vole
House Mouse
Kit Fox
Coyote
Long-tailed Weasel
Badger
Striped Skunk
Mountain Lion
Bobcat
Mule Deer
Pronghorn

Myotis lucifugus
Myotis evotis
Myotis volans
Myotis ciliolabrum
Lasionycteris noctivagans
Pipistrellus hesperus
Eptesicus fuscus
Plecotus townsendii
Tadarida brasiliensis
Lepus californicus
Sylvilagus nuttallii
Sylvilagus idahoensis
Spermophilus townsendii
Spermophilus beldingi
Tamias minimus
Thomomys bottae
Thomomys talpoides
Perognathus longimembris
Perognathus parvus
Microdipodops megacephalus
Dipodomys ordii
Dipodomys microps
Peromyscus maniculatus
Onychomys leucogaster
Neotoma lepida
Lemmus curtatus
Mus musculus
Vulpes macrotis
Canis latrans
Mustela frenata
Taxidea taxus
Mephitis mephitis
Felis concolor
Lynx rufus
Odocoileus hemionus
Antilocapra americana

Reptiles

Western Skink
Western Whiptail
Desert Collared Lizard
Long-nosed Leopard Lizard
Desert Spiny Lizard
Sagebrush Lizard
Western Fence Lizard
Side-blotched Lizard
Desert Horned Lizard
Short-horned Lizard
Long-nosed Snake
Ground Snake
Night Snake
Gopher Snake
Racer
Striped Whipsnake
Western Rattlesnake

Eumeces skiltonianus
Cnemidophorus tigris
Crotaphytus insularis
Gambelia wislizenii
Sceloporus magister
Sceloporus graciosus
Sceloporus occidentalis
Uta stansburiana
Phrynosoma platyrhinos
Phrynosoma douglassii
Rhinocheilus lecontei
Sonora semiannulata
Hypsiglena torquata
Pituophis melanoleucus
Coluber constrictor
Masticophis taeniatus
Crotalus viridis

APPENDIX C

2001 Migratory Bird Executive Order This executive order outlines the responsibilities of Federal agencies to protect migratory birds. The United States has recognized their ecological and economic value to this country and other countries by ratifying international, bilateral conventions for the conservation of migratory birds. These migratory bird conventions impose substantive obligations on the United States for conservation of migratory birds and their habitats. The United States has implemented these migratory bird conventions through the Migratory Bird Treaty Act. President Clinton's Migratory Bird Executive Order directs executive departments and agencies to take certain actions to further implement the Migratory Bird Treaty Act. As defined in the executive order, "action" means a program, activity, project, official policy (such as a rule or regulation), or formal plan directly carried out by a Federal agency. The executive order further states that each Federal agency taking actions that have, or are likely to have, a measurable negative effect on migratory bird populations is directed to develop and implement, within 2 years, a Memorandum of Understanding (MOU) with the Fish and Wildlife Service that shall promote conservation of migratory bird populations. The term "action" will be further defined in this MOU as it pertains to each Federal agency's own authorities and programs.

A list of the migratory birds affected by the President's executive order is contained in 43 CFR 10.13. References to "species of concern" pertain to those species listed in the periodic report "Migratory Nongame Birds of Management Concern in the United States", priority migratory bird species as documented by established plans (such as Bird Conservation Regions in the North American Bird Conservation Initiative or Partners in Flight physiographic areas), and those species listed in 50 CFR 17.11.

A list pertaining to subject Disposal Parcels is shown in the Table on the following page.

APPENDIX C (continued)

The Nevada Partners in Flight Bird Conservation Plan identifies the following bird species for prioritization for management action associated with each of the habitat types listed below:

	Salt Desert	Montane Riparian	Montane Shrub	Sagebrush	Lakes (Gravel Pit Pond)***
	<u>Obligates*</u> : None <u>Other**</u> : Loggerhead Shrike Sage Sparrow Sage Thrasher Burrowing Owl <u>Other Associated</u> <u>Species</u> Horned Lark Brewer's Sparrow Black-throated Sparrow Lark Sparrow	<u>Obligates</u> : Wilson's Warbler MacGillivray's Warbler <u>Other</u> : Cooper's Hawk Northern Goshawk Calliope Hummingbird Lewis's Woodpecker Red-Naped Sapsucker Orange-crowned Warbler Virginia's Warbler Yellow-breasted Chat Other Associated Species Warbling Vireo Broad-tailed Hummingbird Fox Sparrow Blue Grouse	<u>Obligates</u> : None <u>Other</u> : Black Rosy Finch Black-throated Gray Warbler Calliope Hummingbird Cooper's Hawk Loggerhead Shrike Blue Grosbeak Vesper Sparrow MacGillivray's Warbler Orange-crowned Warbler Swainson's Hawk Western Bluebird	<u>Obligates</u> : Sage Grouse <u>Other</u> : Black Rosy Finch Ferruginous Hawk Gray Flycatcher Loggerhead Shrike Vesper Sparrow Prairie Falcon Sage Sparrow Sage Thrasher Swainson's Hawk Burrowing Owl Calliope Hummingbird <u>Other associated species</u> : Brewer's Sparrow Western Meadowlark Black-throated Sparrow Lark Sparrow Green-tailed Towhee Brewer's Blackbird Horned Lark Lark Sparrow	<u>Obligates (PIF-listed as Wetlands/Lakes)</u> : White-faced Ibis Snowy Plover American Avocet Black Tern <u>Other (PIF-listed as Wetlands/Lakes)</u> : Sandhill Crane Long-billed Curlew Short-eared Owl Other Associated (Wetlands/Lakes) Species American bittern Great Egret Snowy Egret Cattle Egret Black-crowned Night Heron Marsh Wren Common Yellowthroat Yellow-headed Blackbird

*"Obligates" are species that are found only in the habitat type described in the section. [Habitat needed during life cycle even though a significant portion of their life cycle is supported by other habitat types]

**"Others" are species that can be found in the habitat type described the Nevada Partners in Flight Bird Conservation Plan.

*** Other Associated Wetlands/Lakes Species predominately associated with wetlands where emergent aquatic vegetation provides cover and foraging areas. Otherwise, spring associated wetlands could provide some seasonal habitat for some of these species shown.

APPENDIX D BLM Special Status Species

Definitions of Special Status Species

Federally Threatened or Endangered Species: Any species that the U.S. Fish and Wildlife Service has listed as an endangered or threatened species under the Endangered Species Act throughout all or a significant portion of its range.

Proposed Threatened or Endangered Species: Any species that the Fish and Wildlife Service has proposed for listing as a Federally endangered or threatened species under the Endangered Species Act.

Candidate Species: Plant and animal taxa that are under consideration for possible listing as threatened or endangered under the Endangered Species Act.

BLM Sensitive Species: Species 1) that are currently under status review by the U.S. Fish and Wildlife Service, 2) whose numbers are declining so rapidly that Federal listing may become necessary; 3) with typically small and widely dispersed populations; or 4) that inhabit ecological refugia or other specialized or unique habitats.

State of Nevada Listed Species: State-protected animals that have been determined to meet BLM's Manual 6840 policy definition.

The listing of Nevada BLM Special Status Species is based on input provided by BLM, Nevada Department of Wildlife, and U.S. Fish and Wildlife Service in BLM Instruction Memorandum No. NV-2003-097 (July 29, 2003).

The effects of a proposed action on species that are listed or are proposed for listing as threatened or endangered are subject to consultation under section 7 of the ESA.

Nevada BLM policy is to provide State of Nevada Listed Species and Nevada BLM Sensitive Species with the same level of protection as is provided for candidate species in BLM Manual 6840.06C. Per wording for Table IIa. in BLM Instruction Memorandum No. NV-98-013, Nevada protected animals that meet BLM's 6840 policy definition are those species of animals occurring on BLM-managed lands in Nevada that are: (1) 'protected' under authority of Nevada Administrative Codes 501.100 - 503.104; (2) have been determined to meet BLM's policy definition of "listing by a State in a category implying potential endangerment or extinction," and (3) are not already included as a federally listed, proposed, or candidate species.

The following table lists the species according to their status that are potentially affected by the proposed action specific to the propose action area.

APPENDIX D (Continued) BLM Special Status Species

COMMON NAME	SCIENTIFIC NAME
Federally Endangered Species	
(None)	(None)
Federally Threatened Species	
Bald Eagle	<i>Haliaeetus leucocephalus</i>
Federally Proposed Threatened or Endangered Species	
(none)	(none)
Federal Candidate Species	
(none)	(none)
Nevada BLM Sensitive Species	
Birds	
Golden Eagle	<i>Aquila chrysaetos</i>
Burrowing Owl	<i>Athene cunicularia</i>
Ferruginous Hawk	<i>Buteo regalis</i>
Swainson's Hawk	<i>Buteo swainsoni</i>
Greater Sage Grouse	<i>Centrocercus urophasianus</i>
Long-eared owl	<i>Asio otis</i>
Short-eared owl	<i>Asio flammeus</i>
Prairie falcon	<i>Falco mexicanus</i>
Peregrine falcon	<i>Falco peregrinus</i>
Loggerhead shrike	<i>Lanius ludovicianus</i>
Black Rosy Finch	<i>Leucosticte atrata</i>
Vesper sparrow	<i>Poocetes gramineus</i>
Long-billed curlew	<i>Numenius americanus</i>
Nortern goshawk	<i>Accipiter gentilis</i>
Mammals	
Pygmy rabbit	<i>Brachylagus idahoensis</i>

APPENDIX E Miscellaneous Parcel Photos

BACA FY2005

Boulder Creek Area

09/27/2004



Photo by Beaupert, BLM

Photo taken looking south-easterly from approximate south-eastern boundary corner area of Parcel 04-07.



Jackpot Parcel 04-09

APPENDIX E (continued) Miscellaneous Parcel Photos

General Vicinity – Montello, Nevada, area Parcels 04-10 through 04-15



General Vicinity – Montello, Nevada, area. Parcels 04-10 through 04-15